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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 HODA SAMUEL,

15 Defendant.
16

2:10-CR-00223-JAM

STIPULATION AND APPLICATION FOR
A MONEY JUDGMENT; ORDER

17 The United States and defendant Hoda Samuel stipulate to the entry of a Money
18 Judgment based on the Application of the United States, as set forth below:

19 1. The Indictment in this case charges defendant Hoda Samuel with Conspiracy to
20 Commit Mail Fraud and Make False Statements in Mortgage Applications, and Mail
21 Fraud in violation of 18 U.S.C. § 371 and 1341. The Indictment included a forfeiture
22 allegation. A Bill of Particulars was filed on January 4, 2013, seeking a personal
23 forfeiture money judgment in the amount of \$5,949,000.

24 2. On January 22, 2013, defendant Hoda Samuel was found guilty of Count One
25 which charges her with Conspiracy to Commit Mail Fraud and Make False Statements in
26 Mortgage Applications in violation of 18 U.S.C. § 371, and Counts Two through Thirty-
27 One which charges her with Mail Fraud in violation of 18 U.S.C. § 1341.

28 3. Defendant Hoda Samuel stipulates and agrees to forfeit voluntarily and

1 immediately \$250,000, as a personal money judgment pursuant to Fed. R. Crim. P.
2 32.2(b)(1), which reflects a reasonable compromise between the parties for forfeiture
3 purposes concerning the proceeds the defendant obtained as a result of violations of 18
4 U.S.C. §§ 371 and 1341, to which she has been found guilty.

5 4. The government hereby applies for entry of a money judgment as follows:

6 a. Pursuant to 18 U.S.C. § 982(a)(2)(A) and Fed. R. Crim. P. 32.2(b)(1), the
7 Court shall impose a personal forfeiture money judgment against defendant Hoda Samuel
8 in the amount of \$250,000.

9 b. The above-referenced personal forfeiture money judgment is imposed based
10 on defendant Hoda Samuel's conviction for violating 18 U.S.C. §§ 371 and 1341. Said
11 amount reflects a reasonable compromise between the parties for forfeiture purposes
12 concerning the proceeds the defendant obtained, which the defendant agrees is subject to
13 forfeiture based on the offenses of conviction. Any funds applied towards such judgment
14 shall be forfeited to the United States of America and disposed of as provided for by law.

15 5. Payment of the personal forfeiture money judgment should be made in the form
16 of a cashier's check made payable to the U.S. Department of the Treasury and sent to the
17 U.S. Attorney's Office, Att: Asset Forfeiture Unit, 501 I Street, Suite 10-100, Sacramento,
18 CA 95814. An initial payment of \$20,000 is due on or before April 30, 2013. The
19 remaining \$230,000 shall be paid in \$1,500 monthly payments due by the 5th of each
20 month starting on May 5, 2013, while defendant Hoda Samuel is out of custody, and will
21 resume once she is released from custody until paid in full. Prior to the imposition of
22 sentence, any funds delivered to the United States to satisfy the personal money judgment
23 shall be seized and held by the Internal Revenue Service, Criminal Investigation in its
24 secure custody and control.

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6. This stipulation is not an admission of liability or guilt and in no way restricts or affects defendant Samuel's right to appeal the judgment or sentence in her criminal case.

Dated: 3/18/13

BENJAMIN B. WAGNER
United States Attorney

/s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

DATED: 3/18/2013

/s/ Hoda Samuel
HODA SAMUEL
Defendant

DATED: 3/18/2013

/s/ Scott L. Tedmon
SCOTT L. TEDMON
Attorney for Defendant
(Original signatures retained by attorney)

ORDER

For good cause shown, the Court hereby imposes a personal forfeiture money judgment against defendant Hoda Samuel in the amount of \$250,000. An initial payment of \$20,000 is due on or before April 30, 2013. The remaining \$230,000 shall be paid in \$1,500 monthly payments due by the 5th of each month starting on May 5, 2013, while defendant Hoda Samuel is out of custody, and will resume once she is released from custody until paid in full.

Any funds applied towards such judgment shall be forfeited to the United States of America and disposed of as provided for by law. Prior to the imposition of sentence, any funds delivered to the United States to satisfy the personal money judgment shall be seized and held by the Internal Revenue Service, Criminal Investigation, in its secure custody and control.

IT IS SO ORDERED.

DATED: 3/20/2013

/s/ John A. Mendez
JOHN A. MENDEZ
United States District Court Judge